

The Honorable Michelle L. Peterson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOSHUA THOMAS BALES,
Defendant.

CASE NO. MJ20-369

COMPLAINT for VIOLATION
18 U.S.C. §§ 2261A(2)(A), (B)
18 U.S.C. § 875(c)

BEFORE United States Magistrate Judge Michelle L. Peterson, United States Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

(Cyberstalking)

Beginning no later than on or about September 13, 2018, and continuing through on or about June 15, 2020, in Seattle, within the Western District of Washington, and elsewhere, JOSHUA THOMAS BALES, with intent to injure, harass, and intimidate another person, identified herein as X.C., used the mail, interactive computer services, electronic communication services, electronic communication systems of interstate commerce, and other facilities of interstate and foreign commerce, to engage in a course of conduct that placed X.C. in reasonable fear of death and serious bodily injury to X.C.,

1 and caused, attempted to cause, and would be reasonably expected to cause substantial
2 emotional distress to X.C., by sending harassing and threatening communications and
3 creating social media profiles without X.C.'s consent.

4 All in violation of Title 18, United States Code, Sections 2261A(2)(A) and (B).

5 **COUNT 2**

6 **(Interstate Threats)**

7 On or about September 26, 2018, in Seattle, within the Western District of
8 Washington, and elsewhere, JOSHUA THOMAS BALES knowingly and willfully
9 transmitted in interstate and foreign commerce, from the State of Washington to
10 Australia, a communication, that is, an email, that contained a threat to injure X.C.,
11 specifically, an email stating: "I'm going to Sydney and Adelaide to hunt you down. I'm
12 gonna chop you up into little pieces and eat the pieces and drink your blood."

13 All in violation of Title 18, United States Code, Section 875(c).

14 **COUNT 3**

15 **(Interstate Threats)**

16 On or about October 25, 2018, in Seattle, within the Western District of
17 Washington, and elsewhere, JOSHUA THOMAS BALES knowingly and willfully
18 transmitted in interstate and foreign commerce, from the State of Washington to
19 Australia, a communication, that is, an email, that contained a threat to injure X.C. and
20 X.C's family, specifically, an email stating: "i'm going to kill you and your whole
21 family."

22 All in violation of Title 18, United States Code, Section 875(c).

23 **COUNT 4**

24 **(Interstate Threats)**

25 On or about December 8, 2018, in Seattle, within the Western District of
26 Washington, and elsewhere, JOSHUA THOMAS BALES knowingly and willfully
27 transmitted in interstate and foreign commerce, from the State of Washington to

1 Australia, a communication, that is, an email, that contained a threat to injure X.C.,
2 specifically, an e-mail stating: "I am going to murder you. I swear it."

3 All in violation of Title 18, United States Code, Section 875(c).

4 **COUNT 5**

5 **(Interstate Threats)**

6 On or about July 13, 2019, in Seattle, within the Western District of Washington,
7 and elsewhere, JOSHUA THOMAS BALES knowingly and willfully transmitted in
8 interstate and foreign commerce, from the State of Washington to Australia, a
9 communication, that is, an email, that contained a threat to injure X.C. and X.C.'s family,
10 specifically, an email stating: "i'm gonna shoot you with a compound bow and arrow,
11 dead. i can buy compound bow and arrows legally in Australia, very easily. With a
12 compound bow and arrows, i could kill you and your whole family very easily and very
13 quickly: a matter of seconds only."

14 All in violation of Title 18, United States Code, Section 875(c).

15 **COUNT 6**

16 **(Interstate Threats)**

17 On or about August 7, 2019, in Seattle, within the Western District of Washington,
18 and elsewhere, JOSHUA THOMAS BALES knowingly and willfully transmitted in
19 interstate and foreign commerce, from the State of Washington to Australia, a
20 communication, that is, an email, that contained a threat to injure X.C., specifically, an
21 email stating: "I swear to god I will end your life. Sooner or later I will come to Australia
22 and HUNT you down like an animal and finish you!"

23 All in violation of Title 18, United States Code, Section 875(c).

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The undersigned complainant, Matthew Zito, being duly sworn, hereby deposes and states as follows:

INTRODUCTION

1. I am a Special Agent (“SA”) for the Federal Bureau of Investigation (“FBI”) and have been so employed since June 2012. I am currently assigned to the Seattle FBI Safe Streets Task Force (“SSTF”). The SSTF is a task force comprised of FBI agents and officers of the Seattle Police Department (“SPD”) assigned to investigate the criminal activities of gang-affiliated individuals and other incidents of violent crime. Prior to my assignment with the Seattle SSTF, I was assigned to the Los Angeles FBI, Los Angeles Strike Force (“LASF”), a task force comprised of agents and officers from federal, state, and local agencies assigned to investigate large-scale narcotics trafficking organizations. I have also previously been assigned to the Las Vegas division of the FBI, where I investigated white collar crime as well as the drug trafficking activities of organized crimes groups associated with Mexican cartels.

2. Since completing the FBI Academy in November 2012, I have participated in numerous types of federal investigations involving many different investigative techniques. I have participated in investigations involving the identification of co-conspirators through analysis of telephone records and bills, financial records, photographs, and other documents. I have directed and assisted in the handling of confidential sources to gather intelligence through various methods, including consensual recordings. I have executed search warrants for controlled substances and other evidence, and I have conducted physical surveillance in connection with investigations. I have conducted investigations in which I have used Global Positioning System (“GPS”) information to locate and track persons who are the subjects of criminal investigations. I have conducted investigations involving the use of Title III wiretaps in order to intercept the communications of target subjects and have authored Title III wiretap affidavits. I have also drafted search warrants and sought other legal process to obtain information

from providers of electronic communications services, including cellular telephone service providers and email providers, and I have analyzed information received from those warrants to further investigations.

3. I am an investigative law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). As such, I am empowered to conduct investigations of, and to make arrests for, violations of the Controlled Substance Act, Title 21, United States Code, Section 801 *et seq.*, and related offenses.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, detectives, analysts, and witnesses. This affidavit is intended to show that there is sufficient probable cause that the defendant committed the offenses charged above, and does not set forth all of my knowledge about this matter.

SUMMARY OF PROBABLE CAUSE

5. In October 2019, the Federal Bureau of Investigation (“FBI”) initiated an investigation into JOSHUA THOMAS BALES based on information received by a woman, referred to herein as X.C., who reported that, since 2017, JOSHUA THOMAS BALES had been engaged in a course of conduct which placed X.C. in reasonable fear of death and serious bodily injury to X.C. and her family, and caused substantial emotional distress to X.C., as set forth in greater detail below.

6. Specifically, X.C. reported that between 2013 and 2017, BALES and X.C. were in a dating relationship. X.C. ended their dating relationship in 2017.

7. After their relationship ended in 2017, and at all times material to this Complaint, BALES resided in the Western District of Washington, and X.C. resided in Australia.

8. X.C. reported that, after their dating relationship ended, she received hundreds of email communications from BALES, as himself and anonymously, from

1 various email addresses operated by Google, Inc.¹ BALES controlled and used email
2 addresses that included “joshuasbusinessemail@gmail.com,”
3 “jhistopforever@gmail.com,” “financingpsychology@gmail.com,”
4 “joshua.thomas.seattle@gmail.com,” “proudtoeunamerican@gmail.com,”
5 “contactjoshuabales@gmail.com,” “mastershakejb@gmail.com,”
6 “summerofgeorge1@gmail.com,” and “joshuabcontact@gmail.com.”

7 9. The emails that BALES sent to X.C. contained harassing and threatening
8 statements, including, but not limited to, the following.

9 10. On or about September 13, 2018, using the account
10 “joshuasbusinessemail@gmail.com,” BALES sent X.C. an email stating: “I will destroy
11 your life forever, I promise. Forever, until I kill you. You haven’t seen anything yet. I
12 haven’t even started yet. It’s gonna get much bigger.”

13 11. On or about September 26, 2018, using the account
14 “proudtoeunamerican@gmail.com,” BALES sent X.C. an email stating: “I’m going to
15 Sydney and Adelaide to hunt you down. I’m gonna chop you up into little pieces and eat
16 the pieces and drink your blood.”

17 12. On or about October 10, 2018, using the account
18 “jhistopforever@gmail.com,” BALES sent X.C. an email stating: “I’m going to start
19 posting your nude pics in Muslim online forums for Sydney and Adelaide, with all your
20 details like both of your addresses and where you go to school. Why should I kill you,
21 when I can let them rape and kill you FOR me?”

22 13. On or about October 15, 2018, using the account
23 “financingpsychology@gmail.com,” BALES sent X.C. an email with the subject line: “I
24 have to murder you.” The email stated, “i WISH I was just joking, or that I could not kill
25 you. But...I have to. I have to kill you.”

26
27 28 ¹ Google, Inc., based in Mountain View, California, is an electronic communication service provider that provides
email, file storage, and other electronic communications and storage services to users all over the world.

1 14. On or about October 25, 2018, using the account
 2 “joshua.thomas.seattle@gmail.com,” BALES sent X.C. an email stating: “i’m going to
 3 kill you and your whole family.”

4 15. On or about December 8, 2018, using the account
 5 “joshua.thomas.seattle@gmail.com,” BALES sent X.C. an email with the subject line:
 6 “homicide.” The email stated: “I am going to murder you. I swear it.”

7 16. On or about May 24, 2019, using the account
 8 “contactjoshuabales@gmail.com,” BALES sent X.C. an email stating: “I’m going to kill
 9 you.”

10 17. On or about May 31, 2019, using the account “mastershakejb@gmail.com,”
 11 BALES sent X.C. an email stating: “I loved you but you burned me. I’m going to throw
 12 acid on your face.”

13 18. On or about July 13, 2019, using the account
 14 “joshua.thomas.seattle@gmail.com,” BALES sent X.C. an email stating: “i’m gonna
 15 shoot you with a compound bow and arrow, dead. i can buy compound bow and arrows
 16 legally in Australia, very easily. With a compound bow and arrows, i could kill you and
 17 your whole family very easily and very quickly: a matter of seconds only.”

18 19. On or about August 7, 2019, using the account
 19 “summerofgeorge1@gmail.com,” BALES sent X.C. an email stating: “I swear to god I
 20 will end your life. Sooner or later I will come to Australia and HUNT you down like an
 21 animal and finish you!”

22 20. On or about September 7, 2019, using the United States Postal Service,
 23 BALES mailed a letter from Seattle, Washington, to X.C.’s parents in Australia. In the
 24 letter, BALES claimed to have naked photos and sex videos of X.C. Among other
 25 defamatory statements contained in the letter, BALES characterized X.C. as “an animal, a
 26 prostitute, a whore,” “a liar,” and “a snake,” and made disparaging allegations about
 27 X.C.’s relationship with her parents.

1 21. On or about November 24, 2019, BALES, using the social media website
 2 Instagram², created a profile of X.C., without her consent, that featured her name and
 3 nude photographs of her. The profile description stated, “I’m a stupid, cheap, poor idiot
 4 who sucks dick for money to pay for Uni and homework. Contact me for more newd pics
 5 and sex vids.”

6 22. On or about November 25, 2019, using the account
 7 “joshua.thomas.seattle@gmail.com,” BALES sent X.C. an email stating: “i’m gonna do it
 8 again and again, [X.C.], make more accounts and do it again. And i’m gonna do worse;
 9 i’m gonna send your dad some things.”

10 23. On or about November 25, 2019, using the account
 11 “joshua.thomas.seattle@gmail.com,” JOSHUA THOMAS BALES sent X.C. an email
 12 stating: “that’s what happens to TRAITORS! next time i’ll contact even MORE of your
 13 contacts/followers/connections. Send me back my jacket and knife, along with an
 14 apology letter apologizing for being garbage and a traitor, or this will never end.”

15 24. X.C. reported that BALES’ numerous messages and course of conduct
 16 made her afraid that BALES would kill or seriously injure her and her family, and caused
 17 her substantial emotional distress. In an effort to avoid further unwanted contact with
 18 BALES, X.C. deactivated her social media accounts.

19 25. On or about December 3, 2019, investigators located and interviewed
 20 BALES. The interview was conducted in a public area of the University Village Mall,
 21 Seattle, Washington. During the interview, BALES was advised that the interview
 22 concerned threatening email communications BALES had been sending to X.C. BALES
 23 said that he understood why the interviewing agents wanted to speak with him. BALES
 24

25
 26 ² Instagram, owned and operated by Facebook, Inc., based in Menlo Park, California, provides an interactive
 27 computer service and electronic communication service accessible to users all over the world through mobile phones
 28 and electronic devices using the Internet. Users of the service established Instagram accounts and chose unique
 usernames to associate with their accounts. Instagram allowed its users to create profile pages, post photos, post
 comments on other users’ photos, and send direct messages to other Instagram users.

1 said that he had a very traumatic breakup with X.C. which caused him to do things he
 2 should not have done. He said that he was sorry for his behavior and it would stop
 3 immediately.

4 26. BALES admitted to creating an Instagram profile featuring nude
 5 photographs of X.C. BALES said that he added two friends of X.C.'s whom he knew
 6 would alert her to the existence of the account but who were not likely share to the
 7 account with others. BALES said that he deliberately chose the least revealing
 8 photographs of X.C. in his possession because he just wanted to get her attention.

9 27. BALES was shown examples of emails sent to X.C. BALES admitted to
 10 controlling the email accounts and sending the emails to X.C. BALES was not detained
 11 at the conclusion of the interview. BALES said repeatedly throughout the interview that
 12 he would have no future communications with X.C.

13 28. On January 9, 2020, Google, Inc. provided subscriber information for the
 14 following email accounts. For each account, the subscriber name was some variation of
 15 BALES' name or initials:

Email Address	Subscriber Name
joshuasbusinessemail@gmail.com	Joshua Bales
jhistopforever@gmail.com	Josh B
financingpsychology@gmail.com	Josh Bales
joshua.thomas.seattle@gmail.com	Joshua Bales
proudtobeunamerican@gmail.com	Josh B
contactjoshuabales@gmail.com	Joshua Bales
mastershakejb@gmail.com	mastershakejb
summerofgeorge1@gmail.com	Joshua LastName

1 29. On or about March 10, 2020, X.C. reactivated her account with Instagram.

2 30. On or about March 10, 2020, using the account

3 “joshuabcontact@gmail.com,” BALES sent X.C. an email with the subject line:
4 “Deactivate your Instagram account.” The email stated: “I don’t want another accident
5 happening...do you?”

6 31. On or about May 19, 2020, using the account

7 “joshua.thomas.seattle@gmail.com,” BALES sent X.C. an email with the subject line:
8 “Memories.” The email stated: “When you left, you said that I should try to let you keep
9 good memories of me/protect your memories of me in a good way. I dont [sic] care what
10 your memories of me are. But you should know that my memories of you are bad,
11 memories like you telling me “go die” on the phone whenever I was feeling down or
12 alone. Also, delete your Instagram account; I’m serious.”

13 32. On or about June 2, 2020, using the account “mastershakejb@gmail.com,”

14 BALES sent X.C. an email stating: “I would have done anything for you and been loyal
15 forever, but now we are enemies forever instead. I still have your underwear from when I
16 took your virginity, and a LOT more things I can use against you later ;).”

17 33. On or about June 3, 2020, using the account

18 “summerofgeorge1@gmail.com,” BALES sent X.C. an email stating: “I would have done
19 anything for you; I would have been loyal to you forever; I would have loved you
20 forever. But the way you left, turned me into your enemy forever. I still have your
21 underwear, from when I took your virginity, and SO much more that I will use against
22 you in the future. Delete your Instagram account, unless you want your naked photos and
23 videos to become famous?”

24 34. On or about June 14, 2020, X.C. reported that she discovered a new

25 Instagram account had been created with the display name “[X.C.]isgarbage.” The
26 account had a profile picture of a pair of women’s underwear, with text overlayed on the

1 photograph that said, “[X.C.] lost her virginity in these underwear.” The profile details
2 include X.C.’s name and the name “Josh B.”

3 35. On or about June 15, 2020, using the account
4 "contactjoshuabales@gmail.com," BALES sent X.C. and email with the subject line,
5 "delete your instagram, or i will contact everyone about you." The email stated: "delete
6 your instagram, or i will contact everyone about you. All your friends. Last time i only
7 contacted a couple friends.....this time i will contact EVERYONE, and will show them
8 everything."

CONCLUSION

10 36. Based on the foregoing facts, I respectfully submit there is probable cause
11 to believe that BALES knowingly and intentionally cyberstalked X.C., in violation of
12 Title 18, United States Code, Section 2261A(2)(A) and (B), and sent her interstate
13 threats, in violation of Title 18, United States Code, Section 875(c).

MATTHEW ZITO, Complainant
Special Agent, FBI

On this date, the above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing Affidavit, and based on the sworn Affidavit, the Court hereby finds that there is probable cause to believe the defendant JOSHUA THOMAS BALES committed the offenses set forth in the Complaint.

DATED this 24th day of June, 2020.

MICHELLE L. PETERSON
United States Magistrate Judge